



February 19, 2024

**By ECF**

The Honorable Lorna G. Schofield  
United States District Court for the Southern District of New York  
Thurgood Marshall Courthouse  
40 Foley Square  
New York, New York 10007

***Re: McKoy, et al. v. The Trump Corp., et al., No. 18 Civ. 9936–ACN’s Motion for Extension of Time to File Unredacted Documents in its Renewed Request to Seal***

Dear Judge Schofield,

ACN writes pursuant to Rule I.B.2 of Your Honor’s Individual Rules and Procedures for Civil Cases to respectfully request an order permitting modest extensions to the February 20, 2024 deadline ordered in your February 6, 2024 Order regarding Plaintiffs’ motion for class certification, Defendant’s Motion for summary judgment and a non-party’s motion to intervene (ECF 691).

On November 29, 2023, ACN Opportunity, LLC (“ACN”) filed its Letter Motion to Request Seal of certain documents in the matter on the grounds that the public access of sensitive information would be significantly harmful to ACN and its employees. ECF 676. Furthermore, the information sought to be sealed contains confidential financial data, financial and marketing strategies, certain IBOs personal information, employee compensation, agreements with specific vendors, and confidential research and development information. ECF 676 at 4 and 6.

In This Court’s February 6, 2024 Order, it was specified that documents and information sought for sealing should be redacted into categories based on the justification for the redaction, provide annotation for each highlight as appropriate, and that ACN should file under seal the copies of the unredacted documents. ECF 691 at 4 and 6.

Mr. Ryan Simpson was previous counsel on this matter and Mr. Sean McLeod has now taken on the role of managing the remainder of this matter on behalf of ACN. In preparation for a response as requested by February 20, 2024, on February 16, 2024, Mr. McLeod received the documents enumerated as the “Brinckerhoff Exhibits” in ECF 676. These Exhibits in ECF 533 were originally filed under seal and not accessible to counsel for ACN. On February 16, 2024, Mr. McLeod convened with Defendants’ counsel requesting the unredacted versions of the documents sought for sealing. These Brinckerhoff Exhibits that are to be reviewed comprises of over 210 pages long and does not include the additional documents from the Merriman Deposition.

This motion for extension of time is not sought for the purposes of delay or frustration of the Court's time. Further, this is the first and only anticipated request for an extension of time to file these documents. It is also anticipated that ACN will complete review and submit the documents prior to the deadline. The parties to this matter discussed, and consent and agree to the changes enumerated below.

As such, ACN proposes the following timeline for producing the documents for this Court's consideration:

<b>Item</b>	<b>Current Deadline</b>	<b>Proposed Deadline</b>
ACN's Renewed Motion to Seal	February 20, 2024	March 1, 2024
ACN's deadline to file specific unredacted documents under seal	February 20, 2024	March 1, 2024
ACN's deadline to file proposed redactions and annotations	February 20, 2024	March 1, 2024

Respectfully submitted,

/s/ David G. Redding

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